



Austin City Council MINUTES

FEBRUARY 6, 1992 - 1:00 P.M.

MEETING CALLED TO ORDER - 1:00 P.M.

1. Approved Minutes for Regular Meetings of January 23 and 30, 1992 and Special Meetings of January 22, 23, 27, 29, and 30 1992.

On Councilmember Larson's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy absent, with a correction to regular meeting of January 23, 1992.

1:00 P.M. - CITIZEN COMMUNICATIONS

2. Mr. David Elliott, to discuss current City issues.
3. Ms. Shirley C. Laffrey, Ph.D., MPH, RN, to increase awareness of City Council members of the need for preventive health care for uninsured, underserved people in Austin, and to describe the preventive care planned by the faculty and students of the School of Nursing for breast cancer screening and education for a group of underserved women in South Austin.
4. Ms. Mary Louise Adams, Ph.D., RN, to discuss the need for breast cancer screening among medically underserved women in Austin.
5. Ms. Sylvia Herrera, MSW, to discuss the need for breast cancer screening among medically underserved women in Austin.
6. Ms. Emma Gambill, to discuss the need for breast cancer screening among medically underserved women in Austin.
7. Mr. Henry Ratliff, to discuss opening City doors.
8. Ms. Lori Cervenak-Renteria, to deliver the 1992 "State of Street" address concerning homelessness in Austin.
9. Mr. Leonard Lyons, to discuss staff accountability.

10. Mr. David Van Os, to discuss Austin Cablevision issues, specifically in response to City Attorney's opinion regarding labor dispute.
11. Mr. Richard Trachtenberg, to discuss the Balcones Canyonlands Conservation Plan, Mayor Todd, private agendas, and the politics of deception. Did not speak.

RECOGNITION FOR AUSTIN-STATESMAN REPORTER

Mayor Todd took personal privilege to recognize Sylvia Martinez, Austin-Statesman reporter, who has covered municipal and Council news. She is leaving Austin to work for the Dallas Morning News. The Mayor wished her well and presented her with a special key to the City.

BOARD AND COMMISSION REPORTS

12. BERGSTROM CONVERSION TASK FORCE - Interim Report

Report was given by Jim Steed, Chairperson, Bergstrom Conversion Task Force.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

13. Authorize the City Manager to enter into an agreement with Friend of the Parks, Inc., to construct lighting improvements along the Town Lake hike and bike trail from Lamar Blvd., east to Waller Creek on the north shore and east to approximately 1700 feet east of the Congress Avenue Bridge on the south shore. (Councilmember Michael "Max" Nofziger)

Pulled from Agenda.

14. Direct Austin Cablevision to allocate an additional access channel for Texas Student Television (TSTV). (Cable Issues Subcommittee)

Motion

Councilmember Nofziger's motion to approve, seconded by Councilmember Garcia, FAILED, by a vote of 3-4 with Mayor Pro Tem Urdy, Councilmembers Epstein, Larson and Reynolds voting No.

Substitute Motion

Councilmember Reynolds substitute motion to direct Austin Cable Commission and ACTV to allocate twelve hours per week of cable channeling to TSTV on a first come, first served basis, DIED FOR LACK OF SECOND.

15. Approved the appointment of Mayor Todd, Mayor Pro Tem Charles Urdy and Councilmembers Louise Epstein and Gus Garcia to serve on the City Council's Lower Colorado River Authority Water Rate Review Subcommittee. (Councilmembers Louise Epstein and Gus Garcia)

On Councilmember Garcia's motion, Councilmember Epstein's second, 7-0 Vote.

16. Consider a zoning request for C14-91-0084, Commerce Savings Association, by R.W. Spencer, 3032 Tamarron Boulevard, from LR to MF-1. (Councilmember Ronney Reynolds and Mayor Pro Tem Charles Urdy)

Motion - Died for Lack of Second

Councilmember Reynolds made a motion to approve "MF-1" with "CO", limit to six units per acre and comply with the new CWO.

Motion to Deny

Councilmember Epstein's motion to DENY zoning change, seconded by Councilmember Larson, was approved by a 4-0-3 Vote, Councilmember Reynolds, Mayor Todd and Mayor Pro Tem Urdy abstained.

17. Set a public hearing to discuss cost of service methodologies used in the preparation of City of Austin Electric Utility rate recommendations. Date and time: February 20, 1992 at 4:30 p.m. (Councilmember Louise Epstein)

On Councilmember Epstein's motion, Councilmember Garcia's second, 4-0 Vote, Mayor Pro Tem Urdy, Councilmembers Nofziger and Reynolds out of the room.

ORDINANCES

18. Approved second/third readings of an Ordinance C14-90-0053 amending Chapter 13-2 of the Austin City Code rezoning property locally known as 8500-8900 Brodie Lane from DR, Development Reserve, to: LR, Neighborhood Commercial, for Tract 1; GR, Community Commercial, for Tract 2; LR, Neighborhood Commercial, for Tract 3; GR, Community Commercial for Tract 4; GR, Community Commercial for Tract 5; MF-2-CO, Multifamily Resident (Low Density)-Conditional Overlay for Tract 6; and SF-2, Single-Family Residence (Standard Lot) for Tract 7. CULLEN CENTER BANK & TRUST by Brad Burns. First reading on January 10, 1991. (Vote 7-0). Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council. The requested rights-of-way required will be secured through the subdivision process. Other conditions: Fiscal for signal installations has been posted.

19. Accepted \$1,217 in grant funds from the Texas Committee on the Humanities for a lecture and exhibit; amend Ordinance No. 910912-A, the 1991-92 Operating Budget, amending the Special Revenue Fund of the Parks and Recreation Department by appropriating \$1,217, increasing revenues and expenditures.
20. Amended the 1991-92 Operating Budget for Brackenridge Hospital by increasing revenues by \$1,074,631, and increasing expenses by \$797,721 to fund enhanced oncology services. (Related to Item 25)
21. Amended the 1991-92 Operating Budget for Brackenridge Hospital (Ordinance No. 910912-A) by increasing the beginning fund balance by \$2,022,572 and increasing appropriations by \$1,451,829 to fund physician service contracts for emergency services and anesthesiology services. (Related to Items 22 and 24)

#18-21 on Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

RESOLUTIONS

22. Approved negotiation and execution of a nine (9) month service agreement with CAPITAL ANESTHESIOLOGY ASSOCIATION (CAA) , Austin, Texas, to provide for anesthesia services at Brackenridge Hospital, in an amount not to exceed \$1,115,500, including an option to extend thereafter for up to two (2) additional twelve (12) month periods in amounts not to exceed \$1,400,000 and \$1,450,000 respectively, for a total amount not to exceed \$3,965,500. (Funding in the amount of \$805,000 included in the 1991-92 Operating Budget of Brackenridge Hospital; \$310,500 will be provided by an amendment to the 1991-92 Operating Budget of Brackenridge Hospital; funding for the extension options will be requested in the 1992-93 and 1993-94 proposed budgets. Sole Source. The prime did not identify any subcontracting opportunities. Reference No. BC6-281. (Related to Item 21)
23. Approved a contract amendment with EMERGENCY HEALTH SERVICES ASSOCIATES, Dallas, Texas, for Emergency Physicians' Services at Brackenridge Hospital, to increase the 1991 contract, in an amount not to exceed \$318,329, for a total contract amount not to exceed \$3,458,329. (Funding included in the 1991-92 Operating Budget of Brackenridge Hospital.) Reference No. BC6-137.
24. Approved negotiation and execution of a twelve (12) month service agreement contract award with EMERGENCY HEALTH SERVICE ASSOCIATES, Dallas, Texas, to provide for emergency physicians' services at Brackenridge Hospital, in an amount not to exceed \$3,900,000 (\$2,925,000 will be spent in 1991-92 and \$975,000 is contingent upon

Council approval of increased funding in the 1992-93 Operating Budget), including an option to extend thereafter for up to four (4) additional twelve (12) month periods, in amounts not to exceed \$4,173,000, \$4,465,110, \$4,777,667, and \$5,112,103 respectively, for a total amount not to exceed \$22,427,880. (Funding in the amount of \$1,783,671 included in the 1991-92 Operating Budget of Brackenridge Hospital; \$1,141,329 provided for by a budget amendment to fund an increase in contract costs for the period of January-September, 1992.) Best proposal of four (4). The prime did not identify any subcontracting opportunities. Reference No. BC6-137. (Related to Item 21)

25. Approved negotiation and execution of a contract award with ADVANCED CANCER TECHNOLOGIES, INC., Atlanta, Georgia, to provide management services for the oncology program at Brackenridge Hospital, in an amount not to exceed \$461,855, including an option to extend thereafter for up to four (4) additional twelve (12) month periods, in amounts not to exceed \$522,574, \$623,252, \$707,150, and \$807,828 respectively, for a total amount not to exceed \$3,122,659.) (Funding of \$230,928 will be provided by a budget amendment to the 1991-92 Operating Budget; additional funding will be requested in the 1992-93 Operating Budget.) Sole Source. The prime did not identify any subcontracting opportunities. Reference No. BC2-092.

(Related to Item 20)

#22-25 on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

26. Approved negotiation and execution of a contract with STRYKER MEDICAL, Kalamazoo, Michigan, for the purchase of twenty-nine (29) adult critical care beds for Brackenridge Hospital, in an amount not to exceed \$211,700, including an option to purchase up to six (6) beds during the next twelve (12) month period, in an amount not to exceed \$7,300 per bed, for a total amount not to exceed \$255,500. (Funding provided by the issuance of \$200,000 of Contractual Obligations approved by Council on February 28, 1991; the remaining \$11,700 will be paid from the 1991-92 Operating Budget of Brackenridge Hospital; funding for the optional six (6) beds in the amount of \$43,800 is included in the 1991-92 Operating Budget of Brackenridge Hospital.) Best offer of three (3). The prime did not identify any subcontracting opportunities. Reference No. BHI-243.
27. Approved negotiation and execution of an eleven (11) month contract with BLUEBONNET COMPUTER COMPANY, Austin, Texas, for professional contract computer programming services for the Library Department, in an amount not to exceed \$110,000. (Funding included in the 1991-92 Operating Budget of Information Services Department.) Best proposal of nine (9). The prime identified one area of subcontracting; there were no M/WBES capable of performing the scope of work. Reference No. 920288-3JR.

28. Approved the first extension and amend the Interlocal Cooperation Agreement with Travis County to provide pharmacy services to eligible County Rural Medical Assistance program (RMAP) and medical supplies for diabetic RMAP clients through September 30, 1992. (No fiscal impact - County reimbursement for the cost of providing pharmacy and medical supplies amounts to \$404,167.)

#26-28 on Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

29. Approved a process for developing the 1992 Bond Ballot package.

Councilmember Epstein said Part 1 of 2, of Attachment B, should be corrected. "I question the title, Preservation of Open Space. Is that the proposed Barton Creek Wilderness Park?" City Manager Barnett stated, "That includes Barton Creek Wilderness Park, as well as money in your CIP for purchase of open space, so it actually incorporates both projects. Councilmember Epstein said a Resolution had been passed by the Council which states: "The language shall read and shall not be lumped with any other item, funds for the Barton Creek Wilderness Park. So to be in compliance we would have to break out Barton Creek Wilderness Park on the ballot and not refer to it as open space and dedicate the funds we would anticipate be necessary to acquire that park, should the voters approve it." Bill Stockton, Director of Public Works and Transportation, said the direction was clear, and "We have already got bond counsel to draft the specific language that conforms to the Resolution that you passed in October."

In answer to questions from Council, City Manager Barnett explained the resolution for action on this agenda was not to set the bond ballot but for Council to approve a process for developing the 1992 Bond Ballot package. She stated, "By passing this resolution you do not adopt any ballot language, you do not adopt any bond program. This just sets out your draft for public comment".

Motion

Councilmember Nofziger made a motion, seconded by Councilmember Garcia, to "approve the Resolution with the omission of the first Whereas, after the first paragraph after Be It Resolved by the City Council, of the City of Austin."

Mayor Todd said he would like to get an amendment to the motion concerning dates.

Amendment to the Motion

Councilmember Garcia made a motion, seconded by Councilmember Larson

to change the dates May 21, 1992 to May 28, 1992. Motion passed by a 7-0 Vote.

Amendment to Motion

Councilmember Epstein made a motion "to have a separate line item under Open Space titled Barton Creek Wilderness Park with the accompanying cost amount that Bill Stockton estimates at this point at \$27,000,000.00". Councilmember Reynolds seconded the motion.

Mayor Todd said, "I guess you are going to reduce the \$33,000,000.00 by that amount?" Councilmember Epstein said, "No there would be an amount....there would be two items listed under Open Space. First would be Barton Creek Wilderness Park at \$27,000,000.00 and the other would be Preservation of Open Space for \$6,000,000.00."

Amendment to Motion Clarified

Councilmember Epstein made a motion, seconded by Councilmember Reynolds, to change the \$33,000,000.00 for Preservation of Open Space, to \$6,000,000.00; and for the Wilderness Park, \$27,000,000.00, to reflect previous Council action. Motion FAILED by a vote of 3-3-1 with Mayor Todd, Councilmembers Garcia and Nofziger voting No, Mayor Pro Tem Urdy abstained.

Councilmember Garcia said he would prefer "that we leave the Preservation of Open Space figure at \$33,000,000.00, and that we put an asterisk by it saying the Barton Creek Wilderness Park will be a separate item on the ballot but we have not been able to fasten down, as far as I can tell, what that estimated amount is". Mr. Stockton explained that there will be a clear figure in the very near future.

Amendment to Motion - Withdrawn

Councilmember Garcia offered an amendment to "put an asterisk by the \$33,000,000.00, and by the words Preservation of Open Space, and print under it that the issue of the Barton Creek Wilderness Park will be a separate item on the agenda." Councilmember Nofziger seconded the motion. After some discussion, the motion was withdrawn.

Friendly Amendment to Main Motion

Mayor Pro Tem Urdy offered a friendly amendment to include Attachment A in the information the Boards and Commissions and citizens should review. The friendly amendment was accepted by the maker and the second to the motion.

Roll Call on Main Motion as Amended and with Friendly Amendment

6-1 Vote, Councilmember Epstein voted No.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

ZONING DISTRICTS

30. C14-91-0099 - CITY OF AUSTIN - ELECTRIC DEPARTMENT, 5915 McCarty Lane. From GR to P. Planning Commission Recommendation: To Grant P, Public District.
ORDINANCE
31. C14-91-0100 - FEROL L. BUAAS ESTATE, by Wiggy's, 1128 West 6th Street.
From CS to CS-1. Planning Commission Recommendation: To Grant CS-1, Commercial Liquor Sales, zoning.
ORDINANCE
32. C14-91-0098 - LANG WOOTEN JONES, by Nyfler Corp., 9616 North Lamar Blvd. From GR to CS. Planning Commission Recommendation: To Grant CS-CO, Commercial Services-Conditional Overlay, limited to - permitted GR uses; Laundry Services, Arts and Craft Studio, Building Maintenance Services, Equipment Sales, and Monument Retail Sales as the only CS uses.
ORDINANCE
33. C14-91-0097 - BALCONES LITTLE LEAGUE, INC., 3106 Adelphi Lane. From RR to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, subject to - (1) uses limited to outdoor sports and recreation and the range of LO uses permitted in the GR district; and (2) roll back to SF-6 if the community recreation ordinance amendment is approved.
ORDINANCE

#30-33 on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Pro Tem Urdy, Councilmember Epstein out of the room.

34. C14H-91-0028 - MUELLER HOUSE, 709 West 6th Street. From CBD to CBD-H. Planning Commission Recommendation: To deny CBD-H.

ZONING CHANGE DENIED - On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

35. C14-91-0068 - TEXAS COMMERCE BANK, By: Strasburger & Price, Armbrust & Brown, 6245-6289 McNeil Road, 13000-13032 Heinemann Drive, 6018-6024, 6100-6110, 6200-6208, 6300-6320, 6400-6416, & 6500-6512

Melrose Trail. From I-RR to: GR, (Tract 1) & MF-3, (Tract 2).
Planning Commission Recommendation: To grant GR-CO, Community Commercial Conditional-Overlay for Tract 1 and MF-3-CO, Multi-family residence (medium density)-Conditional Overlay for Tract 2. The provisions for Tract 1 are as follows: 1. LR, Neighborhood Commercial, development standards, and 2. Exclusions of the following uses. a) Automotive Rentals, b) Automotive Repair Services, c) Automotive Sales, d) Commercial Off-street Parking, e) Funeral Services, f) Hotel-Motel, g) Indoor Entertainment, h) Indoor sports and recreation, i) Pawn Shop Services, j) Theatre, k) Outdoor entertainment, m) Hospital Services (General). [l) Congregate Living, n) Group Home and o) Residential Treatment were not recommended by the Planning Commission and should therefore not be considered as part of the conditional overlay for Tract 1.]

FIRST READING - On Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

The following case will be postponed to a future date. Posting of these cases on this agenda is required due to a previous advertisement for a public hearing on this date.

36. C14-91-0101 - ST. ANDREW'S EPISCOPAL SCHOOL, by Bury and Pittman, Inc., 1106 West 31st Street. From MF-4 to SF-3.

Postponed to February 27, 1992.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

37. 5:00 P.M. - Appeal by Glenn Williams of the Planning Commission's denial of a Conditional Use Permit for Cabaret Adult Lounge (SPC-91-106A).

Motion

The Council, on Councilmember Reynolds' motion, Councilmember Epstein's second, closed the public hearing. 7-0 Vote.

Motion

Councilmember Epstein made a motion, seconded by Councilmember Reynolds "to DENY THE APPEAL, because the proposed zoning does not conform with regulations established by the Land Development Code; further, it creates potentially unfavorable effects or impacts on existing permitted uses on abutting sites; it adversely affects the safety and convenience for vehicular and pedestrian circulation in the vicinity; and it adversely affects traffic control or adjacent properties by inappropriate location, lighting or type of signs. In addition, it would be detrimental to the public health, safety or welfare, or materially injurious to property or improvements in the vicinity for reasons specifically noted by the Planning Commission in their recommendation for denial of the appeal, as well." Motion passed by a 7-0 Vote.

ITEMS FROM COUNCIL

38. Consider a Resolution directing the Law Department to submit to the Fifth Circuit Court of Appeals an Amicus Curiae brief in support of the Court's reconsideration of its January 17, 1992, ruling on the outer loop litigation (Save Barton Creek Association, et. al. vs. Federal Highway Administration, et. al.) [Councilmember Michael "Max" Nofziger]

Councilmember Nofziger's motion to approve, seconded by Councilmember Garcia, was DENIED, by a vote of 3-4 with Mayor Pro Tem Urdy, Councilmembers Epstein, Larson and Reynolds voting No.

39. Consider a Resolution establishing Rules and Procedures for conducting City Council meetings. (Rules Subcommittee)

Motion

Councilmember Nofziger made a motion, seconded by Councilmember Reynolds, to approve a Resolution establishing Rules and Procedures for conducting City Council meetings.

Friendly Amendments

Councilmember Reynolds offered a friendly amendment concerning the word adjourned, as opposed to recessed; Councilmember Nofziger offered a friendly amendment concerning persons who disrupt the meetings; Councilmember Epstein asked that "impertinent" be removed from the wording; and Mayor Todd offered a friendly amendment to clarify how many times a citizen may sign up to speak. All of the amendments were incorporated into the finalized Resolution WHICH IS ATTACHED TO THIS COPY OF THE MINUTES.

Roll Call on Motion with Friendly Amendments

5-1-1 Vote, Councilmember Epstein voted No, Councilmember Garcia abstained.

Councilmembers Nofziger and Reynolds pointed out that the new rules will be in effect for two or three months and then there will be a public hearing held for review.

40. Approved a Resolution supporting the design of a New Generation American School by designating the City of Austin as an America 2000 Community. (Mayor Bruce Todd)

Mayor Pro Tem Urdy took the Chair for the following motion:

Approved, excluded section on "choice", on Mayor Todd's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Epstein out of the room.

EXECUTIVE SESSION (No Public Discussion on These Items)

Mayor Todd announced Council would go into Executive Session, if necessary, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters. No final action will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

Personnel Matters - Section 2, Paragraph g

41. Discussion of Annual Performance Review/1992 Compensation and Benefits Package of the City Manager.

RECESS FOR EXECUTIVE SESSION

Council recessed for Executive Session from 6:15 to 7:25 P.M.

ACTION ON THE FOLLOWING

42. Approved the 1992 Compensation and Benefits Package of the City Manager.

On Councilmember Garcia's motion, Councilmember Nofziger's second, 3.15% salary increase, and ten days vacation converted to cash equivalent to 3.85%, 5-0 Vote, Councilmembers Epstein and Larson out of the room.

43. **APPOINTMENTS**

IMPACT FEE ADVISORY COMMITTEE - William Burba

MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES - Vincent Bland, Christine Crocker, Michael Manor, Paul Voigt

URBAN FORESTRY BOARD - Sheryl McLaughlin

ADJOURN - 1:55 A.M., February 7, 1992

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following rules and procedures for conducting City Council Meetings are adopted:

MEETING SCHEDULE

EXECUTIVE SESSION

An executive session may be scheduled when needed on Thursday morning, time depending on length of Agenda.

REGULAR MEETING

The weekly City Council meeting shall be held on Thursday of each week beginning at one (1) P.M. Meetings considered for cancellation must be determined by a majority vote of the City Council at a previous Council meeting.

In the event that the Thursday afternoon meeting extends into the evening, the City Council will recess at or about 6 P.M. for a thirty (30) minute dinner break.

ELECTRIC UTILITY BOARD

Items brought to the City Council for consideration by the Electric Utility Department will be placed on the Regular Meeting Agenda for the third Thursday of each month at 3 P.M.

HOUSING FINANCE CORPORATION

Meetings of the City Council acting as the Board of Directors of the Austin Housing Finance Corporation will be convened on regular meeting days at 3 P.M. The regular meeting of the City Council will be recessed and the Housing Finance Corporation meeting will be convened.

SPECIAL MEETINGS

Special meetings may be called at the request of the Mayor or two Council Members.

EMERGENCY MEETINGS

In case of emergency or urgent public necessity, the City Council may meet on two (2) hours notice. Cases of emergency or urgent public necessity are limited to threats to public health and safety or reasonably unforeseeable situations requiring immediate action by the City Council. An item for an emergency

meeting or to add an emergency item to an Agenda requires two (2) Members of the City Council to make the request to the City Clerk and notification to the City Clerk by the City Attorney that there is no legal prohibition.

WORK SESSIONS

Work sessions, when needed, shall be regularly scheduled on Wednesday at 1:30 P.M. Additional work sessions may be scheduled by a majority vote of the City Council. Discussions at work sessions in most cases will be limited to members of the City Council and City staff. Citizens may attend work sessions.

POSTING AGENDAS

Items to be posted on the Council Agenda should be delivered to the City Manager's office by one (1) P.M. of the Friday preceding the City Council meeting. Addenda to the Agenda may be filed up until 72 hours before the start of the meeting. Addenda require the sponsorship of two members of the City Council.

PRESIDING OFFICER

CHAIR

The Mayor shall preside at Council meetings. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and the Mayor Pro Tem, the senior Council Member as determined by length of service on the Council, shall preside.

PRESERVATION OF ORDER

The Chair shall preserve order and decorum and shall enforce compliance with the rules contained herein. The Chair shall require Council Members and citizens to limit discussion to the question under consideration and as posted on the Agenda.

SETTING RULES

In the absence of an Ordinance passed by the City Council, the Chair is authorized by parliamentary procedures to provide reasonable rules or procedures for conducting meetings. If other Members want to vary from the Chair's procedures, the procedures can be modified by a majority vote of those present.

RIGHTS AND DUTIES OF COUNCIL MEMBERS

RIGHT TO FLOOR

Every Council Member desiring to speak shall address the Chair. When recognized by the Chair, a Council Member shall confine remarks to the question under debate, avoid reference to

personalities, and refrain from impugning the integrity or motives of any other Council Member in the argument or vote.

SPONSORED ITEMS

On items sponsored on the Agenda by specific Council Members, the floor will be given to the sponsoring Council Member to make a motion on the item or to start the discussion.

MEMBERS OF THE PUBLIC

CITIZEN RIGHTS AND RESPONSIBILITIES

Citizens and members of the public have a legal right to attend all open meetings of the City Council. Citizens will be admitted to the meeting room unless limited by the fire capacity of the facility or as deemed necessary by the presiding officer to protect the public welfare and safety.

Members of the public attending Council meetings shall observe rules of propriety, decorum, and good conduct. The Chair of the City Council is authorized to remove from the Council meeting room and to bar from attending the remainder of the Council meeting any person who disrupts the meeting. In case the Chair shall fail to act, any Member of the City Council may move to require the enforcement of the rules, and the affirmative vote of the majority of the Council shall require the presiding officer to act.

Citizens have the right to address the City Council during regular Council meetings. Scheduled citizen communications will be held after the reading of the Consent Agenda and after the dinner break (approximately 6:30 p.m.) or the end of the meeting, whichever comes first. Citizen communications will be permitted to address an item or items on the Consent Agenda before the vote on the Consent Agenda. A citizen wishing to make a presentation during Citizen Communications may speak at only one of these scheduled times during each meeting. Each person will be given a maximum of three minutes for his/her comments and shall address all the items of concern during said three minutes.

If a Council Member pulls an item for discussion or if a public hearing is scheduled, citizens will be permitted to sign up to speak on the item. Speakers will be given a maximum of three minutes and will limit their comments to the matter under consideration.

On Council Agenda items for which citizen's are allowed to speak, citizen's must sign up on cards provided by the City Clerk. Speakers are not allowed to pass their time for which they signed up to other speakers.

ORDER OF THE MEETING

INVOCATION

CALL TO ORDER

APPROVE MINUTES

CONSENT AGENDA

Agenda items will be read into the record by the City Clerk and Members of the City Council shall state which items they wish to pull for discussion. A vote on the Consent Agenda items will be held after Citizen Communications on Consent Agenda.

CITIZEN COMMUNICATIONS ON POSTED AGENDA

Persons permitted to speak under this Citizens' Communications shall be only those individuals who have actually signed up for Citizens' Communications in writing with the City Clerk by 12:00 noon on the Friday preceding the date of the Council meeting at which they wish to appear and whose names appear on the Agenda. ("Posted Citizens' Communication") Individuals will be placed on the Agenda on a "first come, first served" basis and may sign up for only one week at a time. No more than ten (10) persons shall speak during this session. Speakers scheduled during this time may use this time to address any consent items which are of concern to them.

CITIZEN COMMUNICATIONS ON CONSENT AGENDA

Following the Posted Citizens' Communication, other persons who wish to speak to consent items (those which were not pulled by a Member of the City Council for discussion) will have an opportunity to speak. These persons shall sign up for this Citizen Communication during the Citizens Communications on Posted Agenda. Comments must be limited to Consent Agenda items and will be limited to a maximum of three (3) minutes for each speaker.

VOTE ON CONSENT ITEMS

Following Citizens Communications of Consent Agenda, the Chair will call for a vote on the Consent Agenda. Only members of the City Council may pull additional items prior to this vote being taken.

BOARDS AND COMMISSIONS REPORTS

Reports from City Council appointed Boards and Commissions may be posted on the Agenda for ten (10) minute presentations. This posting must be cleared by the Mayor's office prior to placing it on the Agenda.

ITEMS PULLED FOR DISCUSSION

Discussion items from the listed Ordinances, Resolutions and Items From Council may now be addressed up until an item posted for time certain is called.

Once an item is pulled for discussion, any citizen may sign up to speak on the item. Speakers shall limit their remarks to the matter under discussion.

PUBLIC HEARINGS AND ITEMS FOR A TIME CERTAIN

DINNER BREAK

FINAL CITIZEN COMMUNICATIONS

A final Citizen Communications will be held after the dinner break or at the conclusion of all other Council business, whichever comes first, for those speakers who have not previously addressed the City Council during the meeting. Sign up will be taken during the Council meeting, no more than six (6) persons shall speak, and each person will be given three (3) minutes to speak. These speakers can not have spoken at any other scheduled Citizen Communications during the meeting in progress.

ADJOURNING THE MEETING

All meetings of the City Council shall be adjourned by ten (10) P.M. of the day posted, unless there is a majority vote by the City Council to continue the meeting; or the meeting may be adjourned and re-convened at an agreed time on the following day, provided that there is a majority vote of the City Council and the continuation of said meeting has been properly posted in accordance with the Open Meetings Act.

ADOPTED: February 6 1992. ATTEST: James E. Aldridge
James E. Aldridge
City Clerk

06FEB92
CEG:rh